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OFFICE OF PETITIONS

In re Application of
Arini, et al.
Application No.: 10/817,213
Filed: April 2, 2004
Attorney Docket No.: PA0385
For: METHOD OF, AND COMPUTER
SOFTWARE FOR, CLASSIFICATION OF
CELLS INTO SUBPOPULATIONS

**DECISION ACCORDING STATUS
UNDER 37 CFR 1.47(a)**

This is a decision on the reconsideration petition under 37 CFR 1.47(a), filed May 4, 2005 (certificate of mailing date May 2, 2005).

The petition is granted.

Petitioners have shown that the non-signing inventor, Jurek Cybuch, cannot be located. Specifically, the petitions and accompanying exhibits establish that despite attempts to locate the inventor through the mail, through inquiries of his former employer, and through a visit to his last known address, that Mr. Cybuch cannot be located. Petitioners have diligently searched for Mr. Cybuch. In addition, the undersigned ran a number of fruitless Internet searches for Mr. Cybuch. Mr. Cybuch's whereabouts cannot be ascertained. Petitioners have submitted a declaration in compliance with 37 CFR 1.63 and 1.64.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application file does not indicate a change of address has been filed in this case, although the address given on the petition differs from the address of record. A change of address should be filed in this case in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

After this decision is mailed, the above-identified application will be returned to the Office of Initial Patent Examination for further processing.

Telephone inquiries should be directed to the undersigned at (571) 272-3230.

A handwritten signature in black ink, appearing to read "E. Shirene Willis". The signature is written in a cursive, flowing style.

E. Shirene Willis
Petitions Attorney
Office of Petitions

cc: AMERSHAM BIOSCIENCES CORP
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UNITED STATES PATENT AND TRADEMARK OFFICE

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LETTER

In re Application of
Arini, et al.
Application No.: 10/817,213
Filed: April 2, 2004
Attorney Docket No.: PA0385
For: METHOD OF, AND COMPUTER
SOFTWARE FOR, CLASSIFICATION OF
CELLS INTO SUBPOPULATIONS

Dear Mr. Cybuch:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3230.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions

ATTORNEY OF RECORD: Amersham Biosciences Corp
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